

To the members of the Senate Committee On Veterans, Emergency Management, Federal and World Affairs:

My name is Dan Handelman, I use he/him pronouns and I'm with the group Peace and Justice Works. We've been around since 1992.

Beginning in 2004, we have sent a letter nearly every year to the various governors of Oregon urging them not to send our National Guard to undeclared war zones. We've picked up signatures from organizations around the state over the years including veterans organizations. In 2008-2009 we helped gather statewide support for a resolution to Keep Oregon's Guard in Oregon, which did not receive enough votes to pass.

We want to ensure the Guard stays home to help fight wildfires, conduct search and rescue missions, and handle unexpected events such as setting up temporary medical facilities for the coronavirus pandemic.

We believe the Guard should only be deployed overseas when there is a Congressional declaration of war as required by the Constitution.

Late last year, Oregon's Guard were sent to Iraq, where the Authorization for Use of Military Force passed in 2002 was to engage in military action against the deposed government of Saddam Hussein, and Syria, a country whose government has also been deposed but to which Congress never issued an authorization for war.

So we support the bill's clause 2 and 2a being added to state statute.

We are concerned, however, about the inclusion of proposed clause 2B outlining other Constitutionally authorized reasons to deploy the Guard. While Congress might ask Oregonians to head to the Mexican Border because migration has been referred to as an "invasion," that is not an appropriate use of the military. The Constitution envisions people who are trying to come into the country and conquer territory on behalf of a foreign power, not those fleeing oppression or poverty and seeking better lives. Similarly, there were references to people who took to the streets for racial justice as a "rebellion," but again, they were not seeking to overthrow the government.

Remember, it was members of the National Guard who took the lives of people protesting the Viet Nam war at Kent State University in 1970.

If the clause must remain it might say "Takes official lawful action as authorized by Article I, section 8, clause 15, of the United States Constitution."

That is the approach taken in a guard home bill currently in the Maine legislature.

<https://legislature.maine.gov/legis/bills/getPDF.asp?paper=HP0168&item=1&snum=132>

We only recently found out about the existence of this bill, so this testimony is coming to you on the day of the first public hearing.

We appreciate the effort to return decisions about making war to the legislative branch as required by the Constitution.

Thank you  
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--Peace and Justice Works

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